

WISCONSIN ELECTIONS COMMISSION

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BEVERLY R. GILL
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STEVE KING
DON MILLIS
MARK L. THOMSEN, CHAIR

Wisconsin Elections Commission Special Meeting

Wisconsin Elections Commission Offices
212 E. Washington Avenue, Third Floor
Madison, Wisconsin
9:00 a.m. Friday, October 21, 2016

Open Session Minutes

Present: Commissioner Mark Thomsen, Commissioner Ann Jacobs, Commissioner Beverly Gill, Commissioner Julie Glancey, Commissioner Steve King

Absent: Commissioner Don Millis

Staff present: Michael Haas, Ross Hein, Nathan Judnic, Meagan Wolfe and Reid Magney

A. Call to Order

Commission Chair Mark Thomsen called the meeting to order at 9:02 a.m.

B. Administrator's Report of Appropriate Meeting Notice

Administrator Michael Haas informed the Commissioners that proper notice was given for the meeting.

C. ID Petition Process Public Information Campaign

Commissioners reviewed the Joint Phase Two Report to the Court in the *One Wisconsin Institute, Inc. et. al v. Mark Thomsen, et. al.* litigation, especially the sections regarding the Wisconsin Elections Commission's efforts to inform the public about the Division of Motor Vehicles' ID Petition Process (IDPP) program to provide documents to voters who are unable to obtain a regular DMV product such as a driver license or state ID card.

Commissioners began by discussing Section I containing actions that the parties have agreed upon, starting with Section I. D.1 on page 3 of the report regarding printing of court-approved IDPP palm cards for distribution to voter advocacy groups and certain municipalities.

MOTION: In addition to what is agreed to in the Joint Phase Two Report, authorize staff to print additional color copies of the ID Petition Process palm card: 2,000 for the City of Milwaukee, and 1,000 each of the following municipalities: Madison, Green Bay, Beloit and Kenosha and Racine. Moved by Commissioner King, seconded by Commissioner Jacobs. Motion carried unanimously.

Commissioners discussed Section I. D. 4. on page 4 of the report regarding distribution of electronic copies of the IDPP palm card to municipalities.

MOTION: Adopt the following language from the Joint Phase Two Report: “WEC will send an electronic version of the IDPP palm card to all municipal clerks, with instructions to print copies and distribute them to anyone who receives a provisional ballot for ID-related reasons. This will accomplish providing IDPP information to voters who may need to obtain an ID to effectuate their provisional ballot.” Moved by Commissioner King, seconded by Commissioner Gill.

Discussion regarding whether to add language to the statement that voters should not wait until the Friday after the election to visit the DMV to get an IDPP document. Chair Thomsen asked staff to draft a new paragraph 4 for Commissioners to consider and approve.

MOTION: Adopt the following language from the Joint Phase Two Report: “5. WEC will invite each of the following groups to attend an in-person meeting at WEC’s offices during the week of October 24 to discuss further outreach:

- (i) Vote Riders
- (ii) Citizen Action
- (iii) One Wisconsin
- (iv) The League of Women Voters
- (v) Second Harvest food bank
- (vi) Porchlight, Inc.
- (vii) Executive Director of the City of Milwaukee Election Commission
- (viii) Clerk of the City of Madison

WEC staff will make these invitations personally by phone, except for One Wisconsin and Citizen Action which are parties and will be invited through counsel. WEC will use its best efforts to coordinate schedules and the meeting will occur during business hours or early evening at the offices of the WEC during the week of October 24, 2016. The meeting will include parties only, with no attorneys present. WEC will solicit ideas for how to efficiently spread information about the IDPP. WEC will also invite all municipal clerks to participate via a webinar to solicit additional outreach feedback.”

Moved by Commissioner Glancey, seconded by Commissioner King. Motion carried unanimously.

Commissioners discussed Section 6 on page 5 of the report and determined to expand it beyond the Milwaukee media market.

MOTION: Adopt the following language from the Joint Phase Two Report: “6. WEC will contact radio and TV programs and offer to be interviewed and explain the IDPP. Specifically, WEC has a radio media distribution list with 65 contacts across the state. WEC will draft a media advisory and distribute it to this list, stating that representatives of the WEC are available to come on any of the shows on those stations to discuss IDPP. A similar media advisory will be

sent to a distribution list of TV station contacts, offering to do video interviews in Madison, or phone interviews. WEC will also make phone contact with major TV and radio outlets across the state to reinforce this offer.” Moved by Commissioner Jacobs, seconded by Commissioner King. Motion carried unanimously.

Commissioners discussed Section I.7 on page 5 of the report.

MOTION: Adopt the following language from the Joint Phase Two Report: “7. WEC will issue a new press release concerning the IDPP during the week of October 24, 2016. In addition to the normal distribution of that release, WEC staff will personally contact media outlets in the Milwaukee area and Madison to encourage them to distribute information from the release. In addition, WEC Administrator Haas will hold a press conference in Milwaukee prior to the election to discuss the voter ID law generally and how free IDs can be obtained at the DMV.” Moved by Commissioner King, seconded by Commissioner Jacobs. Motion carried unanimously.

Staff Counsel Nathan Judnic provided Commissioners with revised language for paragraph 4 regarding IDPP palm cards. Discussion.

MOTION: Adopt revised language in the Joint Phase Two Report for paragraph 4: “WEC will send an electronic version of the IDPP palm card to all municipal clerks, with instructions to print copies and distribute them to anyone who receives a provisional ballot for ID-related reasons. WEC will advise all municipal clerks to instruct their election inspectors to provide the IDPP palm card to individuals that either cast a provisional ballot or request information regarding obtaining a free ID through the IDPP. WEC will advise all municipal clerks to instruct their election inspectors to encourage provisional voters to visit a DMV as soon as possible after they cast their ballot to ensure they receive a qualifying ID document by the Friday after the election.” Moved by Commissioner Jacobs, seconded by Commissioner King. Motion carried unanimously.

Commissioners moved on to discuss Section II of the report regarding actions proposed by plaintiffs that have not been agreed upon. Section II.A.2 is regarding a mailing requested by plaintiffs to registered voters who may not have a driver license or state ID card. Administrator Haas explained why this request is not practical given difficulties in list matching and time constraints.

MOTION: Include additional language in the Joint Phase Two Report for Section II, paragraph A 2: “In addition, this proposal is not feasible due to the challenges of developing accurate matching criteria and the logistics involved in developing, testing, procuring, printing and delivery of a mailing without significantly interfering with the WEC’s ability to prepare for the Presidential election.” Moved by Commissioner King, seconded by Commissioner Gill. Motion carried unanimously.

Commissioners discussed Section II.4 on page 6 of the report regarding billboards.

MOTION: Adopt revised language in the Joint Phase Two Report for Section II.4, to include that defendants, including the WEC, do not see this as an efficient use of limited state resources.

Moved by Commissioner King, seconded by Commissioner Jacobs. Motion carried unanimously.

Commissioners discussed Section II.5 on page 7 of the report regarding TV and radio advertising for IDPP.

MOTION: Revise the response in Section II.5 to remove the sentence: “WEC has already aired traditional media, such as public service announcements” and add the following sentence at the end of the paragraph: “In addition, WEC does not have any funds available to conduct a paid TV or radio campaign and the WEC would need a funding source from other agencies of the State to do so.” Moved by Commissioner King, seconded by Commissioner Jacobs. Motion carried unanimously.

Commissioners and staff discussed the process for communicating the changes approved in the Phase Two Joint Report to counsel at the Wisconsin Department of Justice.

Commissioners and staff briefly discussed Administrator Haas’ declaration to be filed with the court.

D. Adjourn

MOTION: To adjourn. Moved by Commissioner King, seconded by Commissioner Glancey. Motion carried unanimously.

The Commission adjourned at 10:27 a.m.

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The next regular meeting of the Wisconsin Elections Commission is scheduled for Tuesday, January 10, 2017, at the commission’s offices in Madison, Wisconsin beginning at 10:00 a.m.

October 21, 2016 Wisconsin Elections Commission meeting minutes prepared by:



Reid Magney, Public Information Officer

January 6, 2017

October 21, 2016 Wisconsin Elections Commission meeting minutes certified by:

Beverly Gill, Commission Secretary

January 10, 2017